

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

CHARLES M. DAVIDSON, et al.

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§

CRIMINAL NO. H-10-201-4S

CHARLES DAVIDSON'S SENTENCING MEMORANDUM

Comes now CHARLES DAVIDSON, by and through his attorneys, and files this Sentencing Memorandum, pursuant to 18 U.S.C. § 3553(a), and would respectfully show as follows:

I.

Charles Davidson has pled guilty to a Class B Misdemeanor. The Sentencing Guidelines do not apply. USSG § 1B1.9.

II.

Charles Davidson has no prior criminal record and is a widely respected member of the community.

III.

Charles M. Davidson is 48 years of age, a fourth generation Texan born at Methodist Hospital and raised in Houston. He attended St. John's School from kindergarten through his high school graduation, where he played both soccer and football. Charles graduated from Washington and Lee University in Lexington, Virginia, with a BS in Business Administration and then earned an MBA from the University of Texas McCombs School of Business.

IV.

Charles married his wife, Keli, in 2003 before Judge Nelson Wolff in Bexar County. They have three young children: Cheney (6 years old), Nina (5 years old), and Ike (21 months old). Charles and Keli own and operate a working cattle ranch in the Texas Hill Country near Leakey, in Real County, where they raise grass-fed registered longhorns. His family worships at Temple Beth El in San Antonio, and Temple Beth Israel when visiting family in Houston.

V.

Charles is involved in numerous charitable organizations, both individually and through the M.N. Davidson Foundation, founded in 1948, and named after his great-grandfather. Charles currently serves as a trustee, and actively volunteers his time to the Foundation's charitable activities. The Foundation supports a variety of causes throughout Texas, including the Parkinson's Research Endowment Fund, the Juvenile Diabetes Foundation, the Children's Museum of Houston, and funds scholarships at both the University of Houston and Rice University. The foundation also supports pancreatic cancer research at the MD Anderson Cancer Center, a cause that is very important to Charles, as both of his parents died of cancer and his wife, Keli, is a cancer survivor.

VI.

Charles Davidson is an active advocate for the conservation of Texas wildlife habitats and has volunteered countless hours on wildlife and natural resource management issues through his active participation in the Texas Wildlife Association ("TWA") and its programs since 1995. TWA is active in the Texas

legislature and in youth education programs regarding conservation of natural resources and wildlife in Texas. Among other things, the TWA sponsors a youth leadership development program designed to introduce youth to the great outdoors, improve their communication skills and leadership, and foster land stewardship. Charles has served in various volunteer capacities with TWA, serving on its Executive Committee from 1999 to the present, and was elected as Treasurer from June 2001 through June 2003, and President from June 2005 through June 2007. Charles received the 2010 TWA Friend of Wildlife Award, which is presented to members of TWA who have made outstanding contributions to the Association and to wildlife habitat conservation.

In addition to his extensive volunteer work with TWA, Charles served as Treasurer and President of the Texas Wildlife Association Foundation (TWAF) from 2003 through 2009, and remains an active trustee. TWAF promotes educational, research, and informational activities in support of wildlife and habitat management. Its activities and programs include science curricula for middle school students, leadership camps, youth outdoor opportunities, teacher training and adult education seminars.

Charles was appointed by the Texas Parks and Wildlife Department to serve on its White-tailed Deer Advisory Committee. He was first appointed in 2006, and was re-appointed in February 2011 for a term through October 2014.

VII.

The Government states that Charles Davidson and the other defendants should not be incarcerated: “[f]airness requires that each defendant ... receive a

non-incarcerative sentence.” Government’s Sentencing Memorandum at 11. The Government charged Charles Davidson in February of 2008. Charles Davidson and his family have lived under the stress and anguish of the indictment for the past 3 ½ years. In the interest of fairness and compassion, Charles Davidson respectfully asks the Court to make an individualized assessment of the factors in 18 U.S.C. § 3553(a) and grant him a sentence that does not include incarceration.

Mr. Davidson is submitting separately to the Court and the Government letters attesting to his good character.

Respectfully Submitted,

By: /s/ Michael Spafford

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served by Clerk of Court on the day of filing by electronic submission upon all counsel of record, including Ms. Tina E. Sciocchetti, Ms. Sara Lord, and Mr. David Searle.

/s/ Kenneth Gazzaway
Kenneth Gazzaway